

15-856

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission, and wishes to announce that the Department's Office of Foreign Missions ("OFM") is updating its driver's license point enforcement system in accordance with its obligation under the Foreign Missions Act of 1982 ("FMA") to protect and ensure the safety of the United States public.

The Department's driver license point enforcement system was first announced as part of the launch of OFM's Enforcement Program in Circular Note No. 85-09, dated September 9, 1985. In order to give missions advance notice of these changes and to provide ample opportunity to the missions to sensitize its members about these changes, the new updated OFM driver's license point enforcement system will not take effect until November 1, 2015. Further information regarding the OFM Enforcement Program, under which the driver license point enforcement system falls, may be found in Circular Note No. 10-181, dated September 24, 2010, located online at <http://www.state.gov/documents/organization/149985.pdf>.

OFM originally designed and implemented the driver license point enforcement system as part of its efforts to ensure that persons entitled to varying levels of immunity in the United States respect and obey U.S. traffic laws and regulations. When cited for traffic violations it is important that mission members and members of their family take the appropriate and necessary steps to resolve such offenses. As part of this process, OFM assesses points to a member's driving record in either of two instances. Should a member be found guilty of an offense (either through the prepayment of a traffic fine or after having had their immunity waived by the Embassy and appearing before the court), OFM will abide by the disposition of the court or administrative agency and assess the appropriate number of points to the member's driving record. Alternatively, should the member be prevented from appearing in court to resolve the offense as a result of the Embassy's decision to decline a Department request for a waiver of immunity, OFM will assess points to the member's driving record in lieu of a court disposition of the offense.

OFM's driver license point enforcement system was designed many years ago based on the point systems administered by the District of Columbia and other nearby jurisdictions where high numbers of mission members and their dependents reside. In an effort to ensure that its system continues to reflect the current point

systems administered by nearby Departments of Motor Vehicles containing high concentrations of foreign missions and their members (*i.e.* Maryland, New York, Virginia, and Washington D.C.), OFM recently undertook a “violation by violation” comparison. OFM concluded from this comparison study that its driver license point enforcement system needed to be updated and realigned with nearby jurisdictions. To that end, missions should be aware that there are several violations for which points assessed on a member’s driving record have increased as noted on our website at <http://www.state.gov/ofm/c66584.htm>. Missions should note, and ensure that your members are made aware, that several infractions currently assessed at a reduced amount of demerit points will rise to 12 points for single incidents resulting in automatic license suspension (a copy of the list of infractions with demerit points assessed rising to 12 and leading to automatic suspension is enclosed and is available on our website at <http://www.state.gov/documents/organization/246909.pdf>).

The Department acknowledges that the great majority of members of the foreign mission community operate motor vehicles responsibly and in compliance with U.S. traffic laws and regulations. Nonetheless, the Department finds it necessary to update OFM’s driver license point enforcement system in order to

reinforce to missions and their members its commitment to public safety as well as to more closely align its system to that of nearby jurisdictions.

The Department requests that Chiefs of Mission ensure that this information is thoroughly disseminated to all mission members at their Embassies and consular posts. Additionally, Chiefs of Mission are informed that, prior to the implementation date of this updated driver license point enforcement system, OFM will conduct outreach with missions and their members via posting this circular note and its attachments prominently on its website as well as having paper copies available in the Customer Service Center in Washington and in the OFM Regional Offices. Please direct any questions to OFM's Office of Diplomatic Motor Vehicles either by electronic mail to [OFMDMVEenforcement@state.gov](mailto:OFMDMVEenforcement@state.gov) or by telephone at 202-895-3500.

Enclosure: As stated.

Department of State,

Washington, September 15, 2015.

A handwritten signature in black ink, appearing to be "J. A. [unclear]", located at the bottom right of the page.